

Hearing Officer Transmittal Checklist

Hearing Date <u>12/16/14</u>
Agenda Item No. <u>7.</u>

Project Number: R2012-00400-(5)

Case(s): Conditional Use Permit Case No. 201200037

Planner: Jeantine Nazar

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☐ Environmental Documentation (ND / MND / EIR)
- ☒ Correspondence
- ☒ Photographs
- ☒ Aerial Image(s)
- ☒ Land Use/Zoning Map
- ☐ Tentative Tract / Parcel Map
- ☐ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐
- ☒ Previous Approval 96002
- ☒ Unilateral Contract
- ☒ Altadena Town Council letter

Reviewed By: Michelle R. Bush for Maria Mosis



Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

PROJECT NUMBER

R2012-00400

HEARING DATE

December 16, 2014

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201200037

Environmental Assessment No. 201200059

PROJECT SUMMARY

OWNER / APPLICANT

Park Marino Land Company, LP

MAP/EXHIBIT DATE

December 3, 2014

PROJECT OVERVIEW

The applicant is requesting a Conditional Use Permit for the continued operation and maintenance of an existing use consisting of a skilled nursing facility, an assisted living facility and an Alzheimer's treatment center in the C-2 zone. There are no proposed changes or improvements.

LOCATION

2601 E. Washington Blvd. Altadena

ACCESS

Washington Blvd.

ASSESSORS PARCEL NUMBER(S)

5751-005-039, 041, 042, and 045

SITE AREA

4.25 Acres

GENERAL PLAN / LOCAL PLAN

Altadena Community Plan

ZONED DISTRICT

Altadena Zoned District

LAND USE DESIGNATION

GC-General Commercial

ZONE

C-2-DP-BE-U/C (Unlimited Commercial – Development Plan- Billboard Exclusion – Unilateral Contract)

PROPOSED UNITS

None

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

Altadena Community Standards District

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1- Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Los Angeles County General Plan and Altadena Community Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.52.1120 (Parking Requirements)
 - 22.28.170 (C-2 Zone Development Standards)

CASE PLANNER:

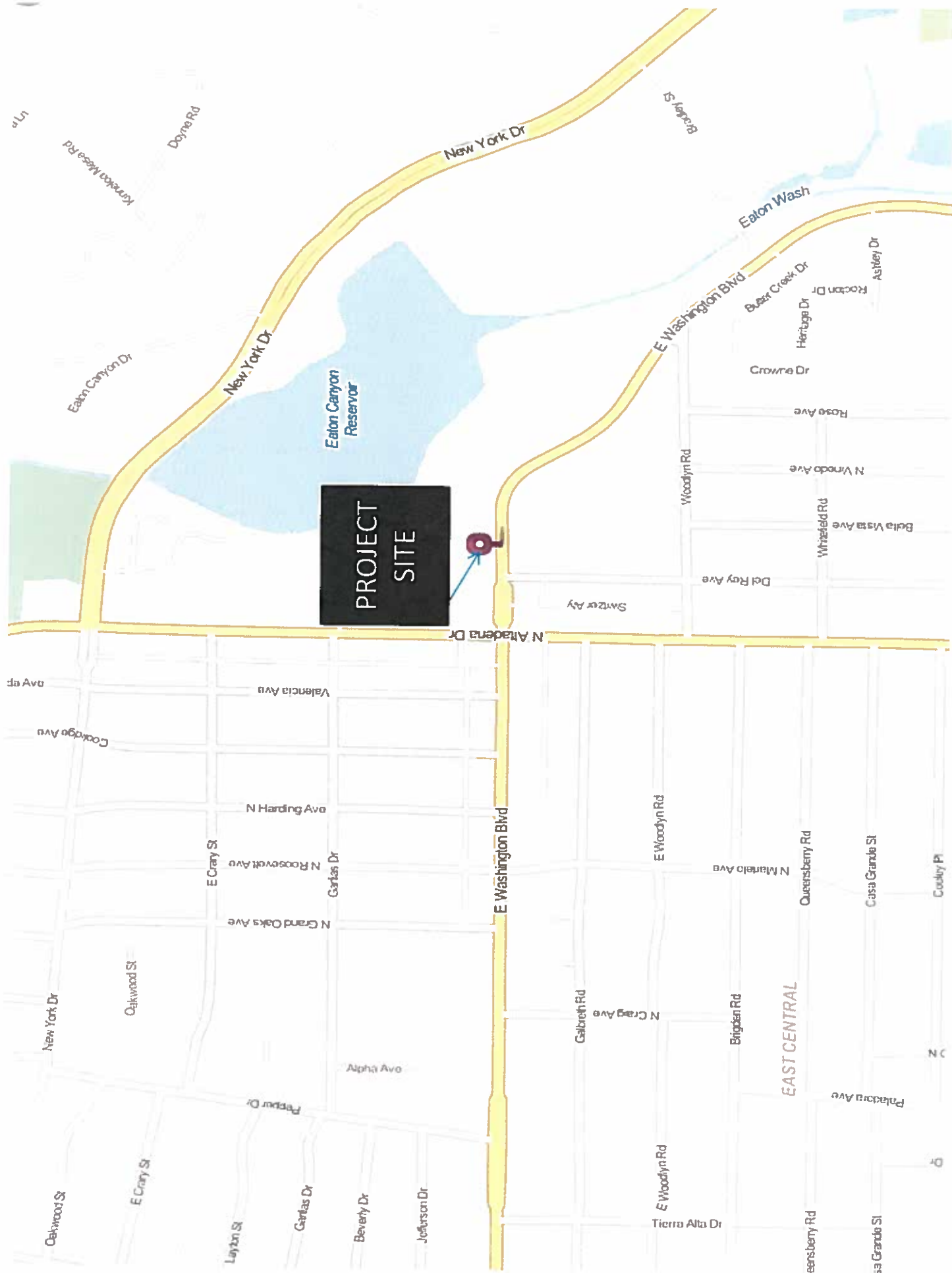
Jeantine Nazar

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ENTITLEMENTS REQUESTED

Conditional Use Permit (CUP) for the continued operation and maintenance of an adult residential facility and a nursing home, and the construction of an Alzheimer's center in the C-2-DP-BE-U/C (Neighborhood Business – Development Program - Billboard Exclusion-Unilateral Contract) zone. Pursuant to County Code Section 22.28.160, an adult residential facility and a convalescent hospital are allowed in the C-2 zone, if a CUP has first been obtained.

PROJECT DESCRIPTION

The applicant is requesting a CUP for the continued operation and maintenance of a convalescent hospital (Park Marino Convalescent center), an independent living with assistance (Terraces at Park Marino), and the construction of an Alzheimer's treatment center (Safe Haven).

The facilities employ a total of 70 employees 24 hour a day and the largest employee shift is 40 during the day. The administrative staff, kitchen staff, housekeeping staff, and maintenance crew are the same for all facilities. All three facilities provide congregate dining for residents as well as serve food to each room upon request. The Project provides support services to individuals and groups such as light exercise, games, art projects, music, entertainment, and counseling. All three facilities are licensed by the State of California. The proposed project is identical to the previous approvals. This application is not proposing any changes or improvement to the existing facilities.

PROJECT OVERVIEW

The Project contains the continued operation of the existing convalescent hospital and the independent living facilities. The Alzheimer's center was approved with CUP 96002 and revised in 2012; however, it has never been built. This permit includes the construction of the proposed Alzheimer's facility.

PROJECT LOCATION

The subject property is located at 2585-2587 E. Washington Blvd and 2601 E. Washington Blvd. The Project Site is comprised of four lots, which includes two ingress and egress easements .33 acres in size (APNs: 5751-005-039 and 042), and two lots of 3.92 acres in area (APNs: 5751-005-041 and 045), for a total of 4.25 acres. The Project Site contains the assisted living facility on the easterly, Eaton Canyon Wash end of the property and the Alzheimer's center on the westerly, Altadena Drive portion of the property. The convalescent hospital is located in the middle. The Project Site is located at 2585 East Washington Boulevard within the Altadena community, and the Altadena Community Standards District. Access to the subject property is from Washington Blvd and Altadena Drive through two separate driveways of 28'-8" feet and 26'-61" feet wide, respectively. Staff included a condition requiring that the applicant obtain a certificate of compliance.

SITE PLAN DESCRIPTION

The site plan depicts three buildings with a total of 38 percent lot coverage, 39 percent landscaping, 21 percent pavement, and 2 percent driveway coverage with 66 parking spaces, which includes four compact and seven handicapped accessible spaces.

The existing three story assisted living facility is located on the east side of the lot, and includes 87 units within 74,031 square feet of built area. The three story assisted living facility accommodates efficiency apartments, one bedroom apartments, and apartments having one bedroom, and a den. Each of these units has a kitchen and a bathroom. The two-story Alzheimer's facility located on the west side with 26 units and 44 beds has 24,833 square feet in area. The one-story skilled nursing facility is located in the middle with a maximum of 99 beds within 25,320 square feet of built area. The nursing home and the assisted living facilities have been built; however, the Alzheimer's center has not yet been constructed.

EXISTING ZONING

The subject property is zoned C-2-DP-BE-U/C. The subject property is located within the Altadena Community Standards District.

Surrounding properties are zoned as follows:

North: R-1-7,500 (Single-Family Residence-7500 square feet minimum lot size)
South: C-1 (Restricted Business), C-1-DP (Restricted Business Development Program), C-2 (Neighborhood Business), C-3 (Unlimited Commercial)
East: City of Pasadena, Eaton Canyon Reservoir
West: R-3 (Limited Multiple Residence), C-3

EXISTING LAND USES

The subject property is developed with adult residential nursing facilities for elderly.

Surrounding properties are developed as follows:

North: Jewish Temple, school, single-family dwellings
South: Office buildings, medical building, convalescent hospital
East: Eaton Canyon Reservoir and Nature Center
West: Multi-family residences, parking, hair salon, café

PREVIOUS CASES/ZONING HISTORY

CUP 96002 approved on May 1, 1996 to authorize the operation of an existing assisted living facility, the construction of a residential facility for senior citizens, and an Alzheimer's center. This approval includes the nursing home as an existing facility in operation for nearly 30 years. The Exhibit "A" approval incorporates land use restriction terms as agreed between neighbors and Park Marino. CUP 96002 was approved on May 1, 1996 and will expire on May 1, 2016. The applicant has filed for an early renewal application.

Revised Exhibit "A" 201100258 approved on February 22, 2012, proposed new signage, reconfigured the parking lot, and changed the Alzheimer's facility from 24,830 square feet to 24,833 square feet and from 48 beds to 44 beds.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The proposed project is identical to the previous CUP 96002 approval. This application is not proposing any changes or improvement to the existing facilities. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the General Commercial (GC) land use category of the Altadena Community Plan (Plan). This designation is intended for a broad range of commercial services, including neighborhood and community commercial uses. Maximum lot coverage permitted by the GC designation is 90 percent, which includes a ratio of 1.8 times the total lot area. Maximum building height in this designation is two stories. (Plan, Pages 4-9). The proposed project is consistent with the land use designation by providing services to elderly and senior citizens at a community and regional levels. The site plan depicts the lot coverage of 38 percent. The total built area of 124,234 square feet is less than the total lot area of 185,130 square feet, and meets the 90 percent requirement; therefore, consistent with the permitted uses of the underlying land use category. The three story residential facility of 34'-11" is not consistent with the GC land use designation requirement of a maximum of two stories. However, the General Plan requires the height of the proposed facilities not to exceed the general profile established by existing uses, and in no event exceed that of neighboring residential development. (Los Angeles County General Plan, Nov. 1980, Page III-36). The residential assisted living structure is compatible in height with the adjacent single-family dwelling and complies with the height requirement of the General Plan.

The following goals and policies of the *Countywide General Plan, Nov. 1980* are applicable to the proposed project:

- Develop a strong diversified economy and ensure full employment. (General Plan, Nov. 1980, General Goals, Page I-15)
The subject facility provides employment to 70 employees of diverse backgrounds, such as doctors, nurses, administrators, gardeners, maintenance staff, cleaning crew and kitchen staff.
- Preserve existing Institutional, cultural, or recreational centers. (General Plan. Page I-58).

The General Plan encourages the retention of existing specialized service and activities of regional significance such as hospitals. The proposed project provides 24 hour medical and home care services to elderly that cannot live independently and serves the community as well as the region.

The following policies of the Altadena Community Plan are applicable to the proposed project:

- The Washington Boulevard corridor and intersection with N. Altadena Drive in the southeast portion of Altadena is presently developed with commercial uses. Multi-family residential development and institutional uses also characterize this area. The Community Plan recommends continuation of these commercial, residential, and institutional uses. (Page 4-13, Policy no 4.5.4).
The Altadena Community Plan encourages the continuation of commercial uses at this location. Therefore, the existing adult residential use is consistent with the Plan requirement.
- Provide for the strengthening of existing corridors and clusters of commercial, industrial, and public uses, (library, parks, senior citizens facilities, etc), as principal activity centers of the Altadena community. (Plan Page 4-2, Issue 1, Policy No. 5).
The proposed project provides services to a total of 220 senior citizens in the following manner: a maximum of 99 elderly patients in the nursing home, 44 patients in the Alzheimer's center, and 87 dependent residents. The Plan encourages the strengthening of the corridors and commercial clusters through the development of senior citizens facilities, libraries and other similar uses as a main use of the corridor. The Project Site is located on Washington Blvd and Altadena Drive, two main corridors in Altadena. The subject senior citizen facility is one of the principal activity centers of these corridors as defined in the Plan.
- Encourage commercial areas to develop desirably distinctive qualities in their design, appearance and operation. (Altadena Community Plan Page 4-3, Issue 3, Policy No. 4).
The Project maintains approximately 12 feet setback on the north easterly portion, adjacent to the single-family dwellings. Landscaping including climbing vines and trees are planted on the setback area next to the residences. The step-back floor levels provide daylight and an aesthetically compatible and unique architectural design. The Alzheimer's center proposes similar architectural design. All three buildings include private gardens, which are on the northerly portion of the lot next to residences and the Temple.

Altadena Community Standards District (CSD)

The proposed Alzheimer's center shall comply with the Altadena CSD requirements. The Altadena CSD does not have any specific requirements for properties located in the

C-2 zone, and the subject property is not located within a specific area of the CSD. Therefore, there are no applicable standards of the CSD.

Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.28.170 of the County Code, establishments in the C-2 Zone are subject to the following development standards:

- A. That not to exceed 90 percent of the net area be occupied by buildings, with a minimum of 10 percent of the net area landscaped with a lawn, shrubbery, flowers, and/or trees, which shall be continuously maintained in good condition. Incidental walkways, if needed, may be developed in the landscaped area.
The Project Site contains 39 percent landscape coverage and exceeds the 10 percent requirement. Staff consulted with the Regional Planning biologist and included a condition regarding maintaining the existing oak trees on the subject property.
- B. That there be parking facilities as required by Part 11 of Chapter 22.52.
Section 22.52.1120 indicates that every convalescent hospital shall have an amount of automobile parking spaces not less than the number of residents permitted by any license or permit which allows the maintenance of such facility. Every adult residential facility shall have one automobile parking space for each staff member on the largest shift and one parking space for each vehicle used directly in conducting such use.
CUP 96002 approval Condition Number 15 does not allow residents to have access to personal vehicles. Two vans are available to provide transportation for the residents. The largest employee shift is 40. The applicant provides 66 parking spaces. Staff included a condition with the same terms as CUP96002.
- C. A building or structure shall not exceed a height of 35 feet above grade, excluding signs which are permitted by Part 10 of Chapter 22.52.
The height of the three story building as depicted on the elevation plan is 34'-11", and meets the height requirement.
- D. Outside Storage. No outside storage shall be permitted in Zone C-2.
There is no outside storage on the property. All storage areas are within an enclosed area.
- E. Ambulance Emergency Services Facilities. No more than two ambulances may be on site at any one time and a designated parking space shall be provided for each ambulance on site.
Currently there is no parking space for emergency ambulances. The previous approval did not require such parking spaces. The easterly portion of the property towards the Eaton Canyon wash can accommodate parking for ambulances.

Site Visit

Staff visited the site on December 1, 2014, and noticed that the facilities are well maintained and very organized. The easterly portion of the property adjacent to the Eaton Canyon reservoir is separated by a wrought iron fence, and provides a beautiful view of the mountains with fresh air circulating in the area. (Photo Numbers 1-6) The north portion of the property is adjacent to the single-family dwellings on the easterly portion and next to the Temple on the westerly portion.

During the site visit, staff verified the following land use restriction of San Marino CCR, as agreed on May 30, 1997:

The assisted living facility on the northerly portion facing the residential area includes step-back areas on the second and on the third floor levels. There are no openings on the first floor. The windows have clerestory glass, which blocks the mountain views from the residents. (Photo Numbers 7-14). The setback area between the assisted living facility and the residences on the north side is approximately 12 feet and includes climbing vines and trees. (Photo Numbers 15-18). The wooden fence that separates the residential and commercial use fits in the rustic character of the area, located next to the Eaton Canyon reservoir. (Photo No. 19). The trash enclosure for the Project is located approximately 45'-50' away from the common property line with the resident living at 2686 East Meguiar and is enclosed within a masonry wall. (Photo No. 20).

As depicted on the site plans and as per staff's observation during the site visit, the laundry facility is at the southwest end of the kitchen/service area of the building and more than 50 feet away from the residential area. The site plan depicts 3 feet high masonry walls along the north side. Staff has not received any calls from the adjacent residents regarding this project. The Unilateral Contract ZC 96002 is an agreement between the Meguiar Residents and Park Marino, and not a Regional Planning requirement. Therefore, staff included a finding regarding not including the Unilateral Contract in the final approval conditions. However, staff incorporated a condition requiring that monthly meetings be scheduled between Park Marino administrators and Meguiar Residents, if requested by the Meguiar Residents and that contact information be available to the Meguiar Residents. GIS shows that the zone change includes the Unilateral Contract, however, Zone Change 96002 approved by the Regional Planning Commission and the Board of Supervisors do not include the Unilateral Contract.

Staff included pictures from the residential facility gardens and the fences looking north and south of the property showing that the property is well maintained and beautifully arranged. (Photo Numbers 21-29).

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.040 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Staff has received comments from the Fire Department on May 8, 2014, Public Works letter dated July 16, 2012, and Public Health dated May 29, 2012 recommending approval.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

The applicant presented the project to the Altadena Land Use Committee and Town Council. Staff has received comments from the Altadena Town Council on December 8, 2014 recommending approval.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff has received an email from a health care provider asking questions not related to the subject permit. No other comments in favor or against the project have been received.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2012-00400, Conditional Use Permit Number 201200037, subject to the attached conditions.

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES AND APPROVE CONDITIONAL USE PERMIT NUMBER 201200037 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Jeantine Nazar, RPAII, Zoning Permits East Section

PROJECT NO. R2012-00400-(5)
CONDITIONAL USE PERMIT NO. 201200037

STAFF ANALYSIS
PAGE 8 OF 8

Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

Attachments:

Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Correspondence
Site Photographs, Aerial Image
Site Plan, Land Use Map

MM: JN
December 11, 2014

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2012-00400 -(5)
CONDITIONAL USE PERMIT NO. 201200037**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. R2012-00400 ("CUP") on December 16, 2014.
2. The permittee, Park Marino Land Company LP ("Permittee"), requests the Project Permit to authorize the continued operation and maintenance of an existing convalescent hospital (Park Marino Convalescent center), an independent living with assistance (Terraces at Park Marino), and the construction of an Alzheimer's treatment center (Safe Haven) ("Project") on a property located at 2585-2587 E. Washington Blvd. and 2601 E. Washington Blvd. in the unincorporated community of Altadena ("Project Site") within the C-2-DP-BE-U/C (Neighborhood Business – Development Program - Billboard Exclusion-Unilateral Contract) zone. Pursuant to County Code Section 22.28.160, an adult residential facility and a convalescent hospital are allowed in the C-2 zone, if a CUP has first been obtained.
3. The Project Site is 4.25 gross acres in size and consists of four legal lots. The Project Site is rectangular in shape with two driveways accessing from Washington Blvd. and from Altadena Drive. The subject property has a flat topography and is developed with an adult residential facility and a convalescent hospital.
4. The Project Site is located in the Altadena Zoned District and is currently zoned C-2-DP-BE-U/C.
5. The subject property is located within the General Commercial (GC) land use category of the Altadena Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: R-1-7,500 (Single-Family Residence-7500 square feet minimum lot size)
 - South: C-1 (Restricted Business), C-1-DP (Restricted Business Development Program), C-2 (Neighborhood Business), C-3 (Unlimited Commercial)
 - East: City of Pasadena, Eaton Canyon Reservoir
 - West: R-3 (Limited Multiple Residence), C-3
7. Surrounding land uses within a 500-foot radius include:
 - North: Jewish Temple, school, single-family dwellings
 - South: Office buildings, medical building, convalescent hospital
 - East: Eaton Canyon Reservoir and Nature Center
 - West: Multi-family residences, parking, hair salon, café

8. The Project Site was rezoned in 1996 to C-2-DP-BE, and CUP 96002 and REA 201100258 were approved on the Project Site since the rezoning. Zone Change Case No. ZC 96002-(5) was approved on May 1, 1996, and changed the zoning on the Project Site from C-2 (Neighborhood Business) R-1-7,500 (Single-Family Residential -7,500 square feet minimum lot size required), and R-3-5,000 (Limited Multiple Residence -5,000 square feet minimum lot size required) to its current zoning of C-2-DP-BE. CUP 96002-(5) was concurrently approved to authorize the operation and maintenance of an existing convalescent hospital with a maximum of 99 beds and the construction of an 87-unit adult residential facility and an Alzheimer's center with 48 beds. Revised Exhibit "A" 201200258 approved on February 22, 2012, proposed new signage, reconfigured the parking lot, and changed the Alzheimer's facility from 24,830 square feet to 24,833 square feet and from 48 beds to 44 beds.
9. The site plan for the Project depicts three buildings with a total of 38 percent lot coverage, 39 percent landscaping, 21 percent pavement, and 2 percent driveway coverage. The existing three-story assisted living facility is located on the east side of the lot, and includes 87 units within 74,031 square feet of built area. The three-story assisted living facility accommodates efficiency apartments, one bedroom apartments, and apartments having one bedroom, and a den. Each of these units has a kitchen and a bathroom. The two-story Alzheimer's facility proposal on the west side with 26 units and 44 beds has 24,833 square feet in area. The one-story skilled nursing facility is located in the middle with a maximum of 99 beds within 25,320 square feet of built area. The convalescent hospital and the assisted living facilities have been built; however, the Alzheimer's center has not been built to date.
10. The Project Site is accessible via both E. Washington Blvd. to the south and Altadena Drive to the west through two separate driveways. The existing lots and the driveways have separate parcel numbers and are not tied together.
11. The Project will provide 66 parking spaces, four of which are compact parking spaces and seven handicapped accessible. Section 22.52.1120 indicates that every convalescent hospital shall have an amount of automobile parking spaces not less than the number of residents permitted by any license or permit which allows the maintenance of such facility. Every adult residential facility shall have one automobile parking space for each staff member on the largest shift and one parking space for each vehicle used directly in conducting such use. CUP 96002 approval Condition Number 15 does not allow residents to have access to personal vehicles. Two vans are available to provide transportation for the residents. The largest employee shift is 40. Staff included a condition with the same terms as CUP 96002.
12. The Altadena Town Council recommends approval of this project.
13. The County Department of Public Works ("Public Works") recommends approval of this Project and has recommended conditions of approval, which are included in the Project's conditions. The County Fire Department ("Fire Department") recommends approval of this Project because the Project will provide adequate fire access, water flow, and fire suppression technology. The County Department of Public Health

("Public Health") recommends approval of the Project and has no comments regarding this Project.

14. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 3, New Construction, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involves the continued operation and maintenance of a convalescent hospital and an adult residential facility as well as the construction of a new Alzheimer's center with 44 beds.
15. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
16. Prior to the Hearing Officer's public hearing, the Department of Regional Planning ("Regional Planning") staff has not received any comments in favor or in opposition to the Project.
17. *To be inserted after the public hearing to reflect hearing proceedings.*
18. The Hearing Officer finds that the proposed project is consistent with the land use designation by providing services to elderly and senior citizens at community and regional levels. The site plan depicts the lot coverage of 38 percent. The total built area of 124,234 square feet is less than the total lot area of 185,130 square feet, and meets the 90 percent requirement; therefore, consistent with the permitted uses of the underlying land use category. The three-story residential facility of 34'-11" is not consistent with the GC land use designation requirement of a maximum of two stories. However, the General Plan requires the height of the proposed facilities not to exceed the general profile established by existing uses, and in no event exceed that of neighboring residential development. (Los Angeles County General Plan, Nov. 1980, Page III-36). The residential assisted living structure is compatible in height with the adjacent single-family dwelling and complies with the height requirement of the General Plan.
19. The Hearing Officer finds that the subject property meets the General Plan goals of developing a strong diversified economy and ensuring full employment. The subject facility provides employment to 70 employees of diverse backgrounds, such as doctors, nurses, administrators, gardeners, maintenance staff, cleaning crew and kitchen staff.
20. The Hearing Officer finds that the proposed project meets the General Plan requirement of preserving the specialized service and activities of regional significance such as hospitals. The Project provides 24-hour medical and home care services to elderly that cannot live independently and serves the community as well as the region and is consistent with the General Plan requirement.

21. The Hearing Officer finds that this Project meets the Altadena Community Plan requirement for the continued operation of the existing commercial use on Washington Boulevard corridor and intersection with N. Altadena Drive in the southeast portion of Altadena is presently developed with commercial uses. The existing adult residential commercial use provides care for approximately 220 dependent senior citizens and is consistent with the Plan requirement.
22. The Hearing Officer finds that the Project strengthens the existing corridors and clusters of commercial, uses. The proposed project provides services to a total of 220 senior citizens in the following manner: a maximum of 99 elderly patients in the nursing home, 44 patients in the Alzheimer's center, and 87 dependent residents. The Project Site is located on Washington Blvd and Altadena Drive, two main corridors in Altadena. The subject senior citizen facility is one of the principal activity centers of these corridors as defined in the Plan.
23. The Hearing Officer finds that the Project entails distinctive qualities in its design, appearance and operation. The Project maintains approximately 12 feet setback on the north easterly portion, adjacent to the single-family dwellings. Landscaping including climbing vines and trees are planted on the setback area next to the residences. The step-back floor levels provide daylight and an aesthetically compatible and unique architectural design. The Alzheimer's center proposes similar architectural design. All three buildings include private gardens, which are on the northerly portion of the lot next to the residences and the Temple. The facilities provide support services to individuals and groups such as light exercise, games, art projects, music, entertainment, and counseling.
24. The Hearing Officer finds that The Project Site contains 39 percent landscape coverage and exceeds the 10 percent requirement.
25. The parking requirement for a convalescent hospital is one parking space for each resident permitted by any license or permit, which allows the maintenance of such facility. Every adult residential facility shall have one automobile parking space for each staff member on the largest shift and one parking space for each vehicle used directly in conducting such use pursuant to 22.52.1120. Two vans are available to provide transportation for the residents. The largest employee shift is 40. The applicant provides 66 parking spaces including four compact and a total of seven handicapped accessible and van accessible parking. The Hearing Officer finds that the previous CUP 96002 condition not allowing residents to have access to personal vehicles shall be in place.
26. The Hearing Officer finds that there is no parking space for emergency ambulances. The previous approval did not require such parking spaces. The easterly portion of the property towards the Eaton Canyon wash can accommodate parking for ambulances.
27. The Hearing Officer finds that the height of the three-story building as depicted on the elevation plan is 34'-11", and meets the height requirement in Part 10 Chapter 22.52.

28. The Hearing Officer finds that the Unilateral Contract ZC 96002 is an agreement between the Meguiar Residents and Park Marino Land Company, and part of covenants, conditions, and restrictions (CCRs), and not a Regional Planning requirement.
29. The Hearing Officer finds that meetings be scheduled between Park Marino administrators and Meguiar Residents, if requested by the Meguiar Residents or by the Park Marino administrators.
30. The Hearing Officer finds that the proposed use with the attached conditions will be consistent with the adopted General Plan. The Project provides employment to 70 employees of diverse backgrounds. The Project also provides 24-hour medical and home care services to elderly that cannot live independently and serves the community as well as the region.
31. The Hearing Officer finds that the proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. The Project includes step-back architecture on the north side of the property and a 10-12-foot setback with landscaping, which creates a buffer between the commercial and residential use, and protects the peace, comfort or welfare of persons residing or working in the surrounding area.
32. The Hearing Officer finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area. The Project provides 66 parking spaces for employees (a maximum of 40 employees at the largest shift) and visitors. The subject site includes gardens and landscaping as well as landscape buffer zones, which separates the subject property from the adjacent lots.
33. The Hearing Officer finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required. The Project Site is served by Altadena Drive and Washington Blvd, two corridors located on the west and south sides of the property.
34. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the terms of this grant to thirty (30) years.
35. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case

materials were available on Regional Planning's website and at libraries located in the vicinity of Altadena community. On October 30, 2014, a total of 322 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as seven (7) notices to those on the courtesy mailing list for the Altadena Zoned District and to any additional interested parties.

36. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE HEARING OFFICER:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines (Class 3, New Construction categorical exemption); and
- 2. Approves Conditional Use Permit No 201200037, subject to the attached conditions.

MM: JN

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2012-00400-(5)
CONDITIONAL USE PERMIT NO. 201200037**

PROJECT DESCRIPTION

The project is a request for a conditional use permit to allow the continued operation and maintenance of an adult residential facility, a nursing home, and an Alzheimer's center in the C-2 zone subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on December 16, 2044.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the adult residential facility, nursing home, and Alzheimer's center and satisfaction of Condition No. 2 shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken

on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of \$3,000.00. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for Fifteen (15) biennial (one every other year)] inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **Three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **March 16, 2015**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **Three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PROJECT SITE SPECIFIC CONDITIONS

19. This grant shall authorize the continued operation and maintenance of a three-story 87-unit adult residential facility for senior citizens, a one-story nursing home with a maximum of 99 beds, and the development of a two-story Alzheimer's center with 44 beds.
 - a. That the permittee shall arrange monthly meetings between the Project Administrator and the Meguiar Residents, if requested by the Meguiar Residents or by the Park Marino administrators;
 - b. A 24-hour contact information be available to Meguiar Residents for any complaints or concerns;
 - c. That all residents of the subject facilities are prohibited from keeping or maintaining personal vehicles on the subject property;
 - d. That a minimum of 66 parking spaces be available at all times;
 - e. Dedicate road right of way, 40 feet from centerline, on Altadena Drive along the property frontage. An additional 5 feet of road right-of-way dedication is required;
 - f. Reconstruct/construct driveway approaches to the site to comply with current Americans with Disabilities Act (ADA) guidelines and to the satisfaction of Public Works. Relocate any affected utilities;
 - g. Close any unused driveways with standard curb, gutter, and sidewalk along the property frontage on Altadena Drive to the satisfaction of Public Works;

- h. Repair any improvements damaged during construction to the satisfaction of Public Works;
- i. Relocate the monument sign to outside of the dedicated road right-of-way on Altadena Drive;
- j. Reconstruct the fronting sidewalk to provide a minimum of five feet (5.5' measured from top of curb) walk adjacent to curb with transitioning around all fixed objects to accommodate ADA guidelines and to the satisfaction of Public Works;
- k. Submit street improvement plans and acquire street plan approval or direct check status before obtaining a grading or drainage permit;
- l. Execute an Agreement to improve for the street improvements prior to issuance of a building permit;
- m. The permittee shall comply with all conditions set forth in the attached County Public Works, Fire, Public Health, Department letters.

Attachments:

Fire/Public Works/Public Health Department Letters dated May 8, 2014, July 16, 2012, May 29, 2012



PHOTO # 1-6

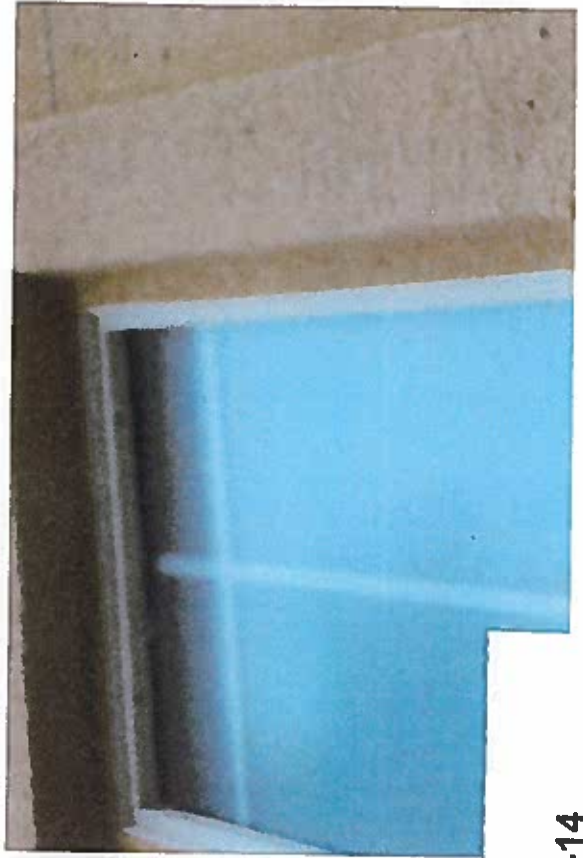
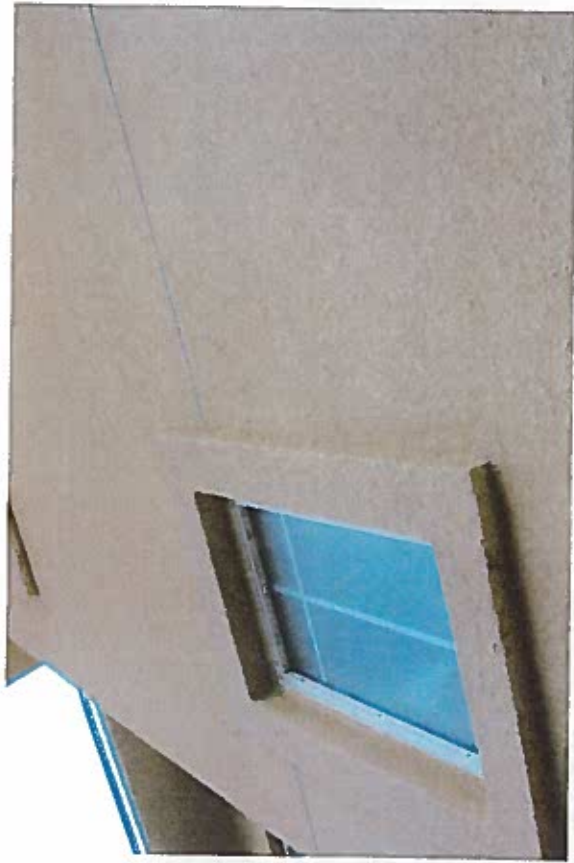


PHOTO # 7-14





PHOTO # 7-14



PHOTO # 15-18



PHOTO # 19



PHOTO # 20





PHOTO # 21-24

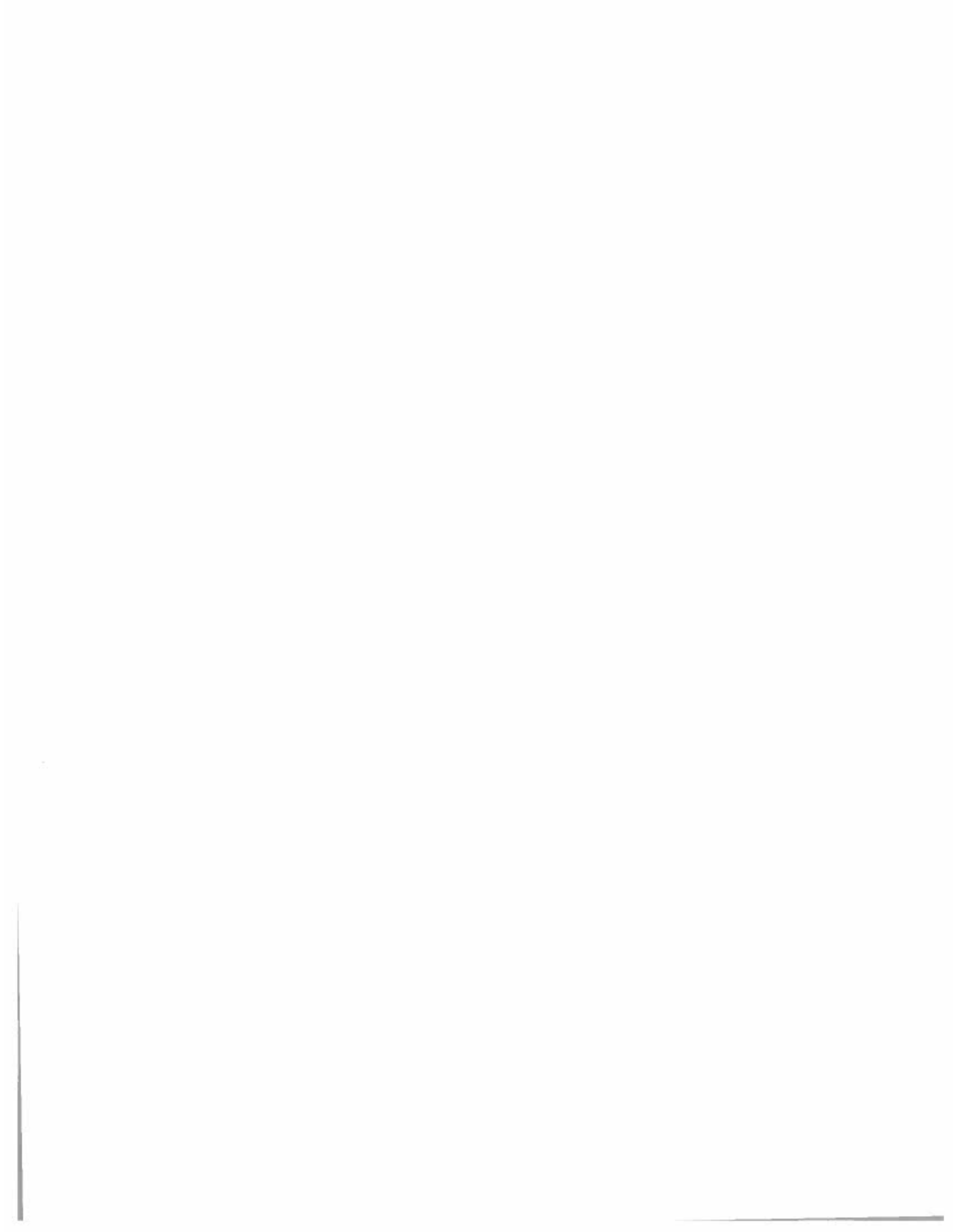




PHOTO # 25



PHOTO # 26



PHOTO # 27



PHOTO # 28

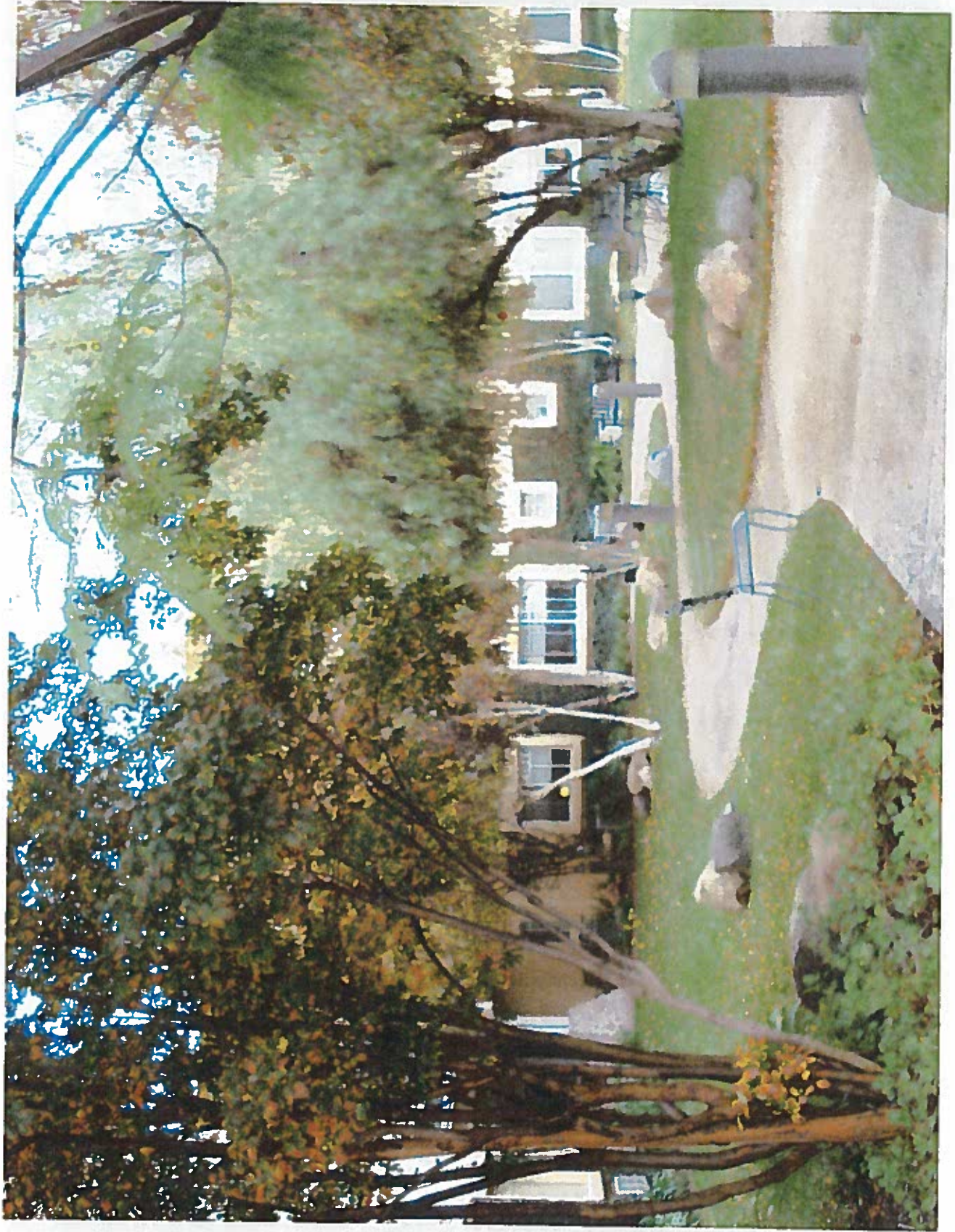


PHOTO # 29



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

Applicant is requesting a conditional use permit to continue the existing use of a skilled nursing facility, assisted living facility, and an alzheimer's treatment facility. applicant continues to operate the existing facilities and maintain the property complaint and violation free and will continue to do so as an asset to the neighborhood and the community.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The site is adequate to accommodate the existing use. All ordinance requirements have been met.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

all streets and highways in the immediate area and general vicinity are in and adequate to accommodate the existing use. all other public services are in and adequate to accommodate the existing use.



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

July 16, 2012

IN REPLY PLEASE
REFER TO FILE **LD-1**

TO: Maria Masis
Zoning Permits East Section
Department of Regional Planning

Attention Jeantine Nazar

FROM:  Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 96002
PROJECT NO. 96-002
2601 EAST WASHINGTON BOULEVARD
ASSESSOR'S MAP BOOK NO. 5751, PAGE 5, PARCEL NOS. 39, 41, 42, AND 45

- ☒ Public Works recommends approval of this CUP.
- ☐ Public Works does **NOT** recommend approval of this CUP.

We reviewed the site plan for the proposed Alzheimer's Facility in the Altadena area, located at 2601 East Washington Boulevard.

Upon approval of the site plan, we recommend the following conditions:

1. Road
 - 1.1 Dedicate road right of way, 40 feet from centerline, on Altadena Drive along the property frontage. An additional 5 feet of road right-of-way dedication is required.
 - 1.2 Reconstruct/construct driveway approaches to the site to comply with current Americans with Disabilities Act (ADA) guidelines and to the satisfaction of Public Works. Relocate any affected utilities.
 - 1.3 Close any unused driveways with standard curb, gutter, and sidewalk along the property frontage on Altadena Drive to the satisfaction of Public Works.

- 1.4 Repair any improvements damaged during construction to the satisfaction of Public Works.
- 1.5 Relocate the monument sign to outside of the dedicated road right of way on Altadena Drive.
- 1.6 Reconstruct the fronting sidewalk to provide a minimum of five feet (5.5' measured from top of curb) walk adjacent to curb with transitioning around all fixed objects to accommodate ADA guidelines and to the satisfaction of Public Works.
- 1.7 Submit street improvement plans and acquire street plan approval or direct check status before obtaining a grading or drainage permit.
- 1.8 Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

Be advised that County project, RDC 0012976, was recently completed on June 9, 2012. The project involved resurfacing of Altadena Drive. The applicant is hereby placed on notice that a pavement moratorium of two years has been placed along the affected roadways. No construction will be allowed during the moratorium period within the new pavement, unless special design considerations are incorporated into the applicant's plans to address pavement rehabilitation. A permit may be issued to allow the applicant to construct private improvements and reconstruct additional pavement area to the satisfaction of Public Works.

For questions regarding the road conditions, please contact Renee Enriquez at (626) 458-4947 or renriquez@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz at (626) 458-4910 or rcruz@dpw.lacounty.gov.

PCRE:tb



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

KENNETH MURRAY, REHS
Director of Environmental Protection Bureau

PATRICK NEJADIAN, REHS
Chief EHS, Land Use Program

KEN HABARADAS, M.S., REHS
Environmental Health Staff Specialist
Land Use Program
5050 Commerce Drive
Baldwin Park, California 91708
TEL (626) 430-5382 • FAX (626) 980-2740

www.publichealth.lacounty.gov



BOARD OF SUPERVISORS

Gloria Molina
First District

Mark Ridley-Thomas
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

May 29, 2012

TO: Jeantine Nazar
Planner
Zoning Permits East Section
Department of Regional Planning

FROM: Ken Habaradas, M.S., REHS *K Habaradas*
Environmental Health Division
Department of Public Health

SUBJECT: PROJECT NO. 96002 / CUP NO. 96002
2601 E. WASHINGTON BLVD., ALTADENA 91107

- ☒ Environmental Health recommends approval of this CUP.
- ☐ Environmental Health does NOT recommend approval of this CUP.

The Department of Public Health – Environmental Health Division has reviewed the information provided for the project identified above. The CUP is for the continued use of a skilled nursing facility, assisted living facility and Alzheimer's treatment facility.

The Department has no comments regarding this project.

If you should have any questions regarding our review, please feel free to contact me at (626) 430-5382.

KH:kh



COUNTY OF LOS ANGELES FIRE DEPARTMENT

Fire Prevention Division
Land Development Unit
5823 Rickenbacker Road
Commerce, California 90040-3027
Office (323) 890-4243 Fax (323) 890-9783

DATE: May 8, 2014 SITE PLAN DATE: April 30, 2012

TO: Department of Regional Planning
Zoning Permits East Section - Jeantine Nazar

PROJECT #: 96-002

LOCATION: 2601 East Washington Blvd., Altadena

- ☐ The Fire Department Land Development Unit has no additional requirements for this permit.
- ☒ The required fire flow for this development is 2000 gallons per minute for 2 hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. 2 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- ☐ All fire hydrants shall be 6" X 4" X 2 1/2" and conform to AWWA C503-75 or approved equal standard. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- ☒ **Water:** The fire flow is adequate for this project.
- The fire flow is calculated based on the total square footage of the proposed "Alzheimers Facility" and the type of construction (Type V-A). The fire flow is reduced to 2000 gpm due to the building having an approved automatic fire sprinkler system installed (as noted on the site plan).
- ☒ **Access:** Provide a minimum roadway width of 26 feet, clear-to-sky, to within 150 feet of all exterior portions of the proposed building and existing buildings. The driveway shall be posted "No Parking-Fire Lane".
- The minimum center-line turning radius is 32 feet, with an inner radius of 19 feet and an outer radius of 45 feet.
- ☐ **Conditions for Approval:**
- ☒ **Comments:** The proposed project is "Cleared" to proceed to the public hearing process.

Submit the building and fire protection system plans to the Fire Department's Commerce Fire Prevention Office-Engineering Unit once the project has been cleared for the public hearing. Additional access and water systems requirements may need to be addressed.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: *Wally Collins*



ALTADENA TOWN COUNCIL

Serving the community since 1975

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730 East Altadena Drive • Altadena, California 91001

Mr. Richard Bruckner
Planning Director
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

October 27, 2014

Re: Park Marino Convalescent Center - Project No: R2012-00400

Dear Mr. Bruckner,

The Altadena Town Council resolved, at its October 21, 2014 meeting, to recommend **APPROVAL** of the CUP application for the property listed above.

This is a business which has operated successfully for many years at the existing location with no complaints from the community about its operation. The new construction will not negatively affect the surrounding residents and there is sufficient parking. Assuming there are no negative responses to your department's required mailing, we ask that this CUP be approved.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Diane Marcussen".

Diane Marcussen, Chairman
Altadena Town Council

Cc: Ms. Sussy Nemer, Senior Deputy to Supervisor Antonovich

Photo Captions:

- 1. View facing North on Altadena Drive- Sign located at entrance on Altadena Drive**
- 2. View facing Northwest- Assisted Living Facility**
- 3. View facing North- Undeveloped area for proposed Alzheimer's treatment facility**
- 4. View facing North-Front entrance to Skilled Nursing Facility**
- 5. View facing Northeast in parking lot-Skilled Nursing Facility**
- 6. View facing Northeast- Assisted Living Facility**
- 7. View facing south-Access driveway on Washington Ave**

photo key map

SAFE HAVEN
AT PARK MARINO
301 E. WASHINGTON BLVD.
PHOENIX, AZ 85004

THE ARCHITECTS ARE NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE ARCHITECTS ARE NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

SUBMITTALS

NO.	DATE	DESCRIPTION
1	02/01/11	1.0000 SITE PLAN
2	02/01/11	2.0000 FLOOR PLAN
3	02/01/11	3.0000 SECTION
4	02/01/11	4.0000 ELEVATION
5	02/01/11	5.0000 DETAIL

REVISIONS

NO.	DATE	DESCRIPTION
1	02/01/11	1.0000 SITE PLAN
2	02/01/11	2.0000 FLOOR PLAN
3	02/01/11	3.0000 SECTION
4	02/01/11	4.0000 ELEVATION
5	02/01/11	5.0000 DETAIL

ENLARGED SITE PLAN ①
SCALE: 1" = 100'

PROJECT SUMMARY ②

GENERAL NOTES:

- 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE U.S. NATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
- 2. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.
- 3. THE ARCHITECTS ARE NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.
- 4. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.
- 5. THE ARCHITECTS ARE NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.
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- 9. THE ARCHITECTS ARE NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.
- 10. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

PROJECT DATA:

PROJECT NAME: SAFE HAVEN AT PARK MARINO

PROJECT LOCATION: 301 E. WASHINGTON BLVD., PHOENIX, AZ 85004

PROJECT OWNER: [REDACTED]

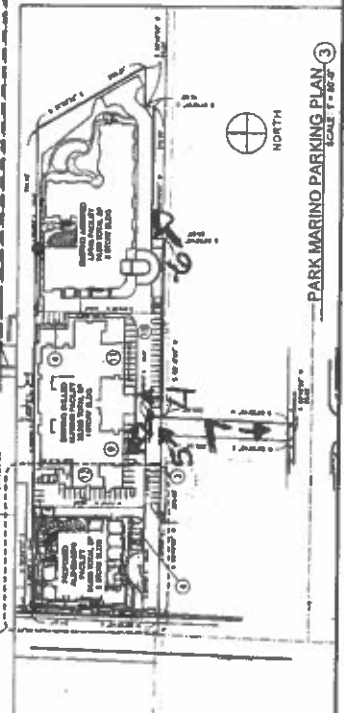
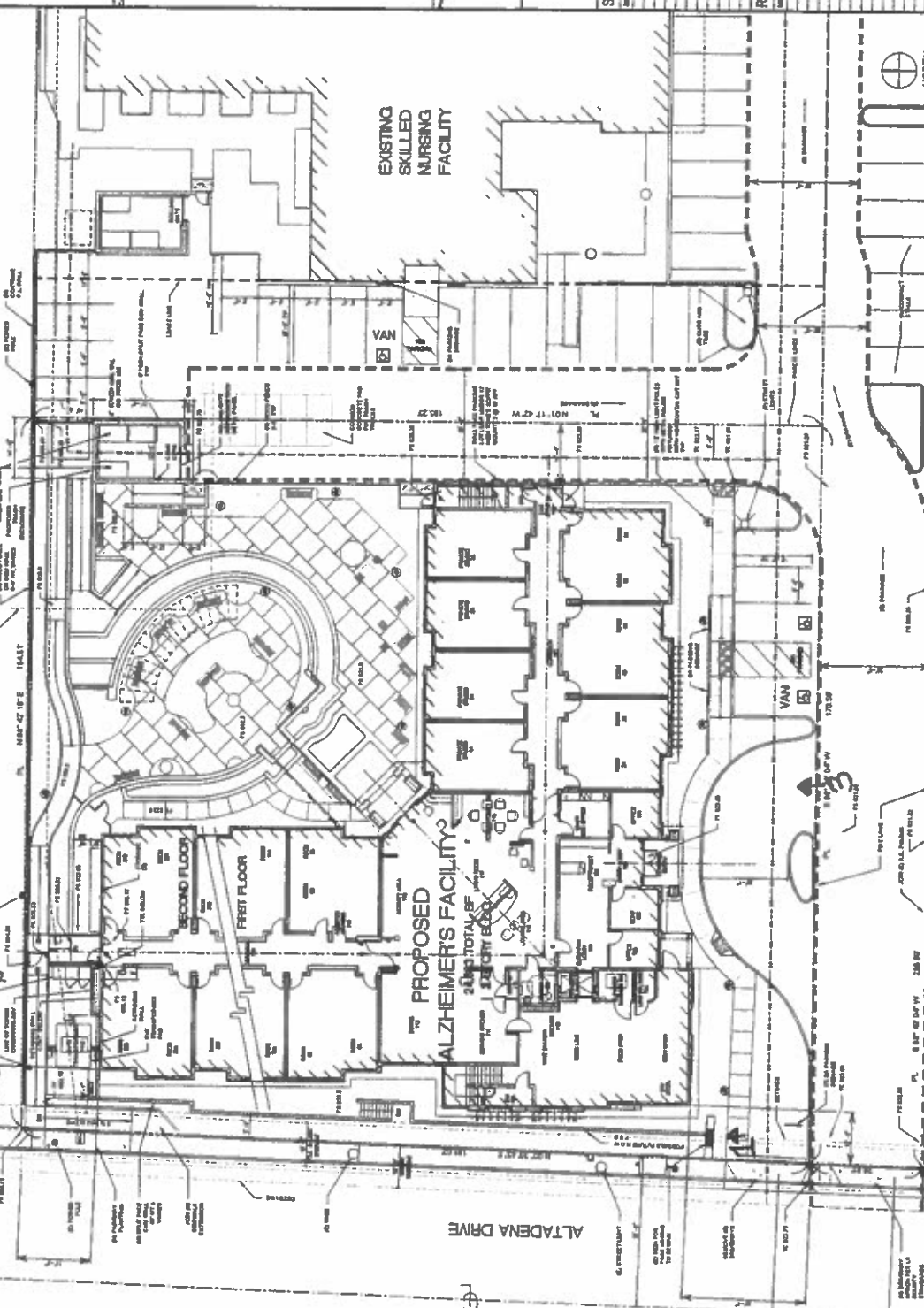
PROJECT ARCHITECT: BPS ARCHITECTS

PROJECT ENGINEER: [REDACTED]

PROJECT DATE: 02/01/11

PROJECT SCALE: 1" = 100'

PROJECT SHEET: A1.2



1.



2.



3.



4.



5.



6.



7.





picto

ZONING

ZONING 500 FOOT RADIUS MAP

Proj. R2012-00400 (5)
RCUP 2012-00037

Legend

- R-1 - SINGLE-FAMILY RESIDENCE
- R-2 - TWO-FAMILY RESIDENCE
- R-3-(U) - LIMITED MULTIPLE RESIDENCE
- C-1 - RESTRICTED BUSINESS
- C-2 - NEIGHBORHOOD COMMERCIAL
- C-3 - UNLIMITED COMMERCIAL

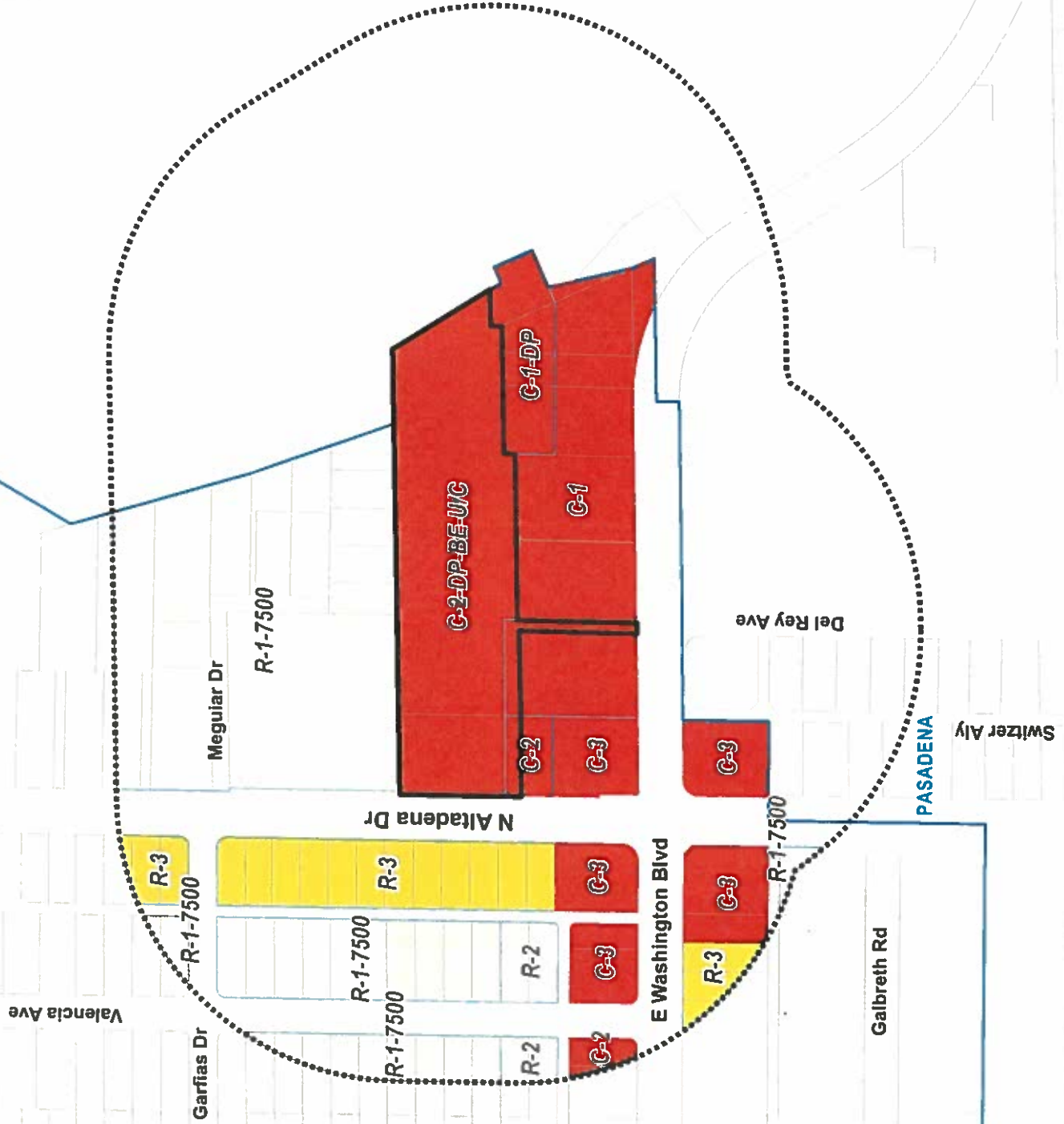
VICINITY MAP



0 40 80 160 240 320 Feet



LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



LAND USE
500 FOOT RADIUS MAP

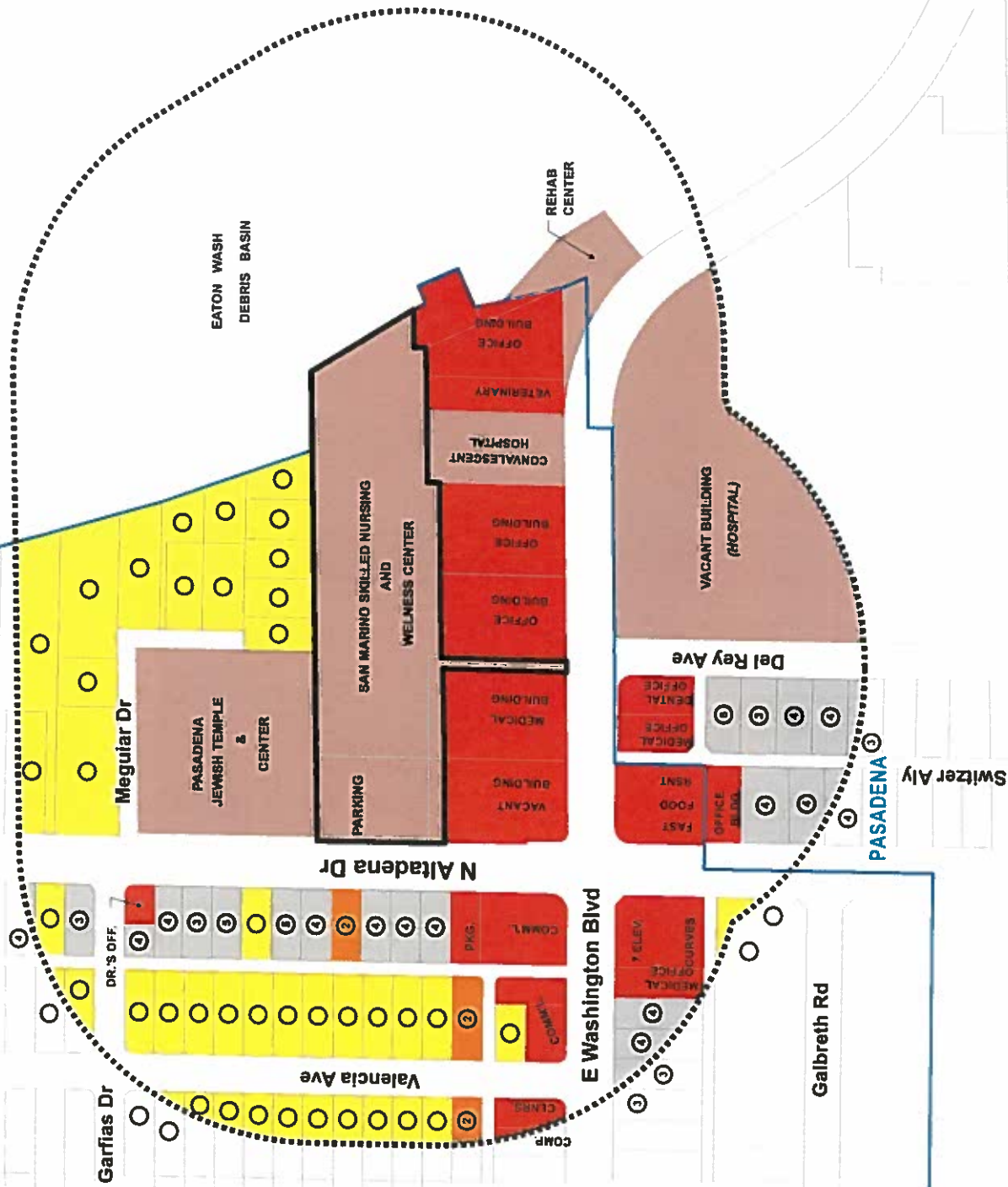
**Proj. R2012-00400 (5)
RCUP 2012-00037**

Legend

- SINGLE-FAMILY RESIDENCE
② MULTI-FAMILY RESIDENCE
■ SINGLE-FAMILY RESIDENCE
■ TWO-FAMILY RESIDENCE
■ MULTI-FAMILY RESIDENCE
■ INSTITUTION (NON-PROFIT)
■ COMMERCIAL
■ VACANT

VICINITY MAP

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012





Los Angeles County
Department of Regional Planning
Director of Planning, James E. Hartl, AICP



June 27, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Diversified Health Services
1433 Webster Street, Suite 204
Oakland, California 93612

RE: CONDITIONAL USE PERMIT CASE NO. 96-002-(5)

Dear Applicant:

The Regional Planning Commission, by its action of June 5, 1996 granted the above-described permit. Documents pertaining to this permit are enclosed.

During the fifteen-day period following your receipt of this letter, the decision may be appealed to the Board of Supervisors through the office of Joanne Sturges, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. This grant will not become effective until and unless this period has passed without an appeal.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning

John R. Schwarze, AICP, Administrator

John R. Schwarze, AICP, Administrator
Current Planning Branch

JRS:DCC:rm

Attachments: Findings & Conditions, Affidavit

c: Building & Safety, Board of Supervisors,
Carolyn Ingram Seitz, Testifiers

P 787 854 452



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

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DIVERSIFIED HEALTH SERVICES	
1433 WEBSTER STREET, SUITE 204	
OAKLAND, CA 94612	
P.O., State & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark or Date	
CP 96-002-(5) FL	
Mailed 6-28-96	

PS Form 3800, June 1990

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
CONDITIONAL USE PERMIT NO. 96002-(5)

COMMISSION HEARING DATE: May 1, 1996

SYNOPSIS:

The applicant has requested approval of a change of zone and a conditional use permit to authorize the continued operation of an existing nursing home and to authorize the construction of a new adult residential facility for Alzheimers patients and an assisted living residential facility for senior citizens.

PROCEDURE BEFORE THE COMMISSION:

Three representatives of the applicant were sworn and testified in favor of the requested zone change and proposed development. One property owner residing northerly of the subject property was sworn and testified in opposition. She presented two letters of opposition which were written by neighboring property owners.

There being no further testimony, the Commission closed the public hearing and, by a vote of 5-0, instructed staff to prepare findings and conditions for approval.

FINDINGS:

1. The subject property is located at 2585 East Washington Boulevard within the Altadena community.
2. The area surrounding the subject property is developed with a convalescent hospital, medical offices and Saint Luke's Hospital to the south, single family residences and a Jewish Temple to the north, Eaton Canyon Wash to the east and multi-family and single family residences to the west.
3. The subject property is approximately 4.25 acres in size.
4. Access to the subject property is from the west via North Altadena Drive, a dedicated County roadway having a right-of-way 85 feet in width.
5. The subject property is depicted within the commercial category of the Countywide General Plan.
6. The subject property is depicted within the commercial category of the Altadena Community Plan.
7. The applicant's proposal is consistent with both the Altadena Community Plan and the Countywide General Plan.

8. The subject property is currently zoned C-2 (Neighborhood Business), R-1-7,500 (Single Family Residence-minimum required lot size 7500 square feet), and R-3-5,000 (Limited Multiple Residence-5000 square feet minimum required lot size). The applicant proposes to rezone the entire property to C-2-DP-BE (Neighborhood Business-Development Program-Billboard Exclusion).
9. The applicant has requested approval of a Conditional Use Permit to authorize the continued maintenance of an existing nursing home which has operated on the subject property for thirty years and to authorize the construction of a new adult residential facility for Alzheimers patients and an assisted living residential facility for senior citizens.
10. Section 22.08.010 of the Zoning Ordinance defines Adult Residential Facility as:

"Adult residential facility means any facility which provides 24-hour a day nonmedical care and supervision to adults as defined and licensed under the regulations of the State of California."
11. The proposed facilities are both licensed by the State of California as adult residential facilities. Residents of the proposed Alzheimers facility will have private rooms with no kitchens and bathrooms having no tub or shower. Shared bathing/showering facilities will be provided so that residents can be monitored by staff.
12. Residents of the assisted living facility will be accommodated in efficiency apartments, one bedroom apartments and apartments having one bedroom and a den. Each of these units will have an efficiency kitchen and full bathroom facilities.
13. Congregate dining will be provided for residents of both proposed facilities. Housekeeping staff will clean individual rooms as well as common area within the Alzheimer adult residential facility. Housekeeping staff will clean common areas only in the assisted living residential facility.
14. Administrative staff, kitchen staff, housekeeping staff will be the same for all facilities.
15. Two vans will be available to provide transportation for the residents. No residents will be allowed to have access to personal vehicles.

16. The applicant's proposal was presented to the Altadena Town Council by the applicant's representative Carolyn Ingram Seitz. A presentation was given to the Land Use Committee and to the Town Council as a whole. The proposed project received the support of the Town Council.
17. The applicant's proposal depicts the proposed two-story 48-bed Alzheimers facility westerly of existing nursing home adjacent to Altadena Drive and the proposed three-story 87-unit assisted adult residential facility located adjacent to the easterly boundary of the property. Sixty-two parking spaces are depicted.
18. One off-street parking space must be provided for each resident of the existng nursing home and one parking space for each staff member on the largest shift at each of the adult residential facilities as well as one parking space used directly in operating the adult residential facilities per Section 22.52.1120 of the Zoning Ordinance.
19. The proposed facility appears to have well-landscaped outdoor recreational space for the residents.
20. The opponent to the applicant's proposal was under the mistaken impression that the proposed Alzheimers facility would be developed adjacent to existing single family residences.
21. The proposed adult residential facility will be developed adjacent to existing single family residences.
22. The proposed Alzheimers facility will be developed on the westerly portion of the subject property adjacent to Altadena Drive and existing residences will be buffered by the existing three-story Jewish Temple.
23. The opponent to the applicant's proposal objected to the three-story height of the proposed adult residential facility.
24. The proposed adult residential facility will have second and third floors stepped away from the existing single family residences. The placement of windows on the third floor adjacent to existing single family residences (northerly side) will be prohibited except for bathroom and stairwell windows.
25. The conditions of the grant will require construction of a solid masonry wall eight feet in height along the northerly property line adjacent to existing single family residences as well as the planting of appropriate landscaping for the purpose of establishing a visual buffer.

26. An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was determined that this project will not exceed the established threshold criteria for any environmental or service factor and, as a result, will not have a significant effect on the physical environment

BASED ON THE FOREGOING, THE COMMISSION CONCLUDES:

- A. The requested use is consistent with the adopted general plan.
- B. As modified and with the attached restrictions and conditions, the requested use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

COMMISSION ACTION:

1. The Regional Planning Commission approves the negative declaration for the project, certifies that it has reviewed and considered the environmental information contained in the Initial Study, and determines that the proposed project will not have a significant effect on the environment.
2. In view of the findings of fact presented above, Conditional Use Permit No. 96002-(5) is GRANTED with the attached conditions.

VOTE: 5-0

Concurring: Toy, Clark, Guido, Russell, Wulliger

Dissenting: 0

Abstaining: 0

Absent: 0

Date of Action: June 5, 1996

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant.
3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65907. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and

- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by permittee according to Los Angeles County Code Section 2.170.010.

- 5. This grant will expire unless used within two years from the date of approval. A one year time extension may be requested before the expiration date.
- 6. This grant will terminate on May 1, 2016.

Entitlement to use of the property thereafter shall be subject to the regulations then in effect.

- 7. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County of Los Angeles the sum of \$1,000.00. The fee shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fee provides for ten inspections.

If any future inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

- 8. This grant authorizes the continued operations of the existing nursing home, the development of a two-story 48-bed adult residential facility for Alzheimers patients and the development of a three-story 87-unit adult residential facility of senior citizens subject to the following restrictions as to use:
 - a. That all residents of the subject facilities are prohibited from keeping or maintaining personal vehicles on the subject property;

- b. That the subject adult residential facility for alzheimer patients shall be limited to a maximum capacity of 48 beds;
- c. That the subject adult residential facility for senior citizens shall be limited to a maximum capacity of 87 residential units;
- d. That the existing nursing home shall be limited to a maximum capacity of 99 beds;
- e. That conversion of the adult residential facility to other uses not included within the definition of adult residential facility shall be prohibited unless a new conditional use permit has first been obtained; and
- f. That a minimum of sixty-two off-street parking spaces shall be continuously maintained on the subject property.
- g. That a solid masonry wall eight feet in height shall be constructed and maintained along the northerly boundary of the subject property adjacent to existing single family residence lots (2666, 2676, 2686, and 2694 East Meguiar Drive) prior to commencement of construction of the proposed adult residential facility.
- h. That landscaping shall be planted and continuously maintained between the proposed adult residential facility and the required solid masonry wall eight feet in height adjacent to existing single family residence lots. Said landscaping shall be designed to provide a visual buffer between the proposed adult residential facility and shall be depicted on a landscaping plan which must be approved by the Director of Planning prior to issuance of building permits.
- i. That the proposed adult residential facility shall have second and third stories stepped away from existing single family residence lots as depicted on renderings and elevations which must be approved by the Director of Planning prior to issuance of building permits.
- j. That the placement of windows on the third floor of the proposed adult residential facility adjacent to existing single family residence lots (northerly side) shall be prohibited except for bathroom and stairwell windows.

- b. That the subject adult residential facility for alzheimer patients shall be limited to a maximum capacity of 48 beds;
- c. That the subject adult residential facility for senior citizens shall be limited to a maximum capacity of 87 residential units;
- d. That the existing nursing home shall be limited to a maximum capacity of 99 beds;
- e. That conversion of the adult residential facility to other uses not included within the definition of adult residential facility shall be prohibited unless a new conditional use permit has first been obtained; and
- f. That a minimum of sixty-two off-street parking spaces shall be continuously maintained on the subject property.
- g. That a solid masonry wall eight feet in height shall be constructed and maintained along the northerly boundary of the subject property adjacent to existing single family residence lots (2654, ~~2656~~, 2676, 2686, and 2694 East Meguiar Drive) prior to commencement of construction of the proposed adult residential facility.
- h. That landscaping shall be planted and continuously maintained between the proposed adult residential facility and the required solid masonry wall eight feet in height adjacent to existing single family residence lots. Said landscaping shall be designed to provide a visual buffer between the proposed adult residential facility and shall be depicted on a landscaping plan which must be approved by the Director of Planning prior to issuance of building permits.
- i. That the proposed adult residential facility shall have second and third stories stepped away from existing single family residence lots as depicted on renderings and elevations which must be approved by the Director of Planning prior to issuance of building permits.
- j. That the placement of windows on the third floor of the proposed adult residential facility adjacent to existing single family residence lots (northerly side) shall be prohibited except for bathroom and stairwell windows.

9. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A". In the event that subsequent revised plans are submitted the written authorization of the property owner is necessary.
10. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
11. Provisions shall be made for all natural drainage to the satisfaction of the Department of Public Works. Drainage plans and two signed grading plans shall be submitted to the Department of Public Works for approval before grading or construction.
12. The subject facility shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said Department.
13. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.
14. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.
15. In the event of such extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage by the close of the next business day following such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
16. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.

RECORDING REQUESTED BY
County Counsel of Los Angeles
County

JUN 03 1997

COPY of Document Recorded

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97 823270
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preparation has been completed. **Y**
LOS ANGELES COUNTY REGISTRAR - RECORDER

WHEN RECORDED MAIL TO

NAME
MAILING
ADDRESS
CITY, STATE
ZIP CODE

Cox, Castle & Nicholson, LLP
2049 Century Park East
28th Floor
Los Angeles, CA 90067

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

UNILATERAL CONTRACT
IMPOSING LAND USE RESTRICTIONS
Z.C. 96-002-(5)

RECORDING REQUESTED BY:

County Counsel of Los Angeles County

AFTER RECORDATION, RETURN TO:

Cox, Castle & Nicholson
Attn: Ronald I. Silverman, Esq.
2049 Century Park East, 28th Floor
Los Angeles, CA 90067

UNILATERAL CONTRACT
IMPOSING LAND USE RESTRICTIONS
Z.C 96-002-(5)

Park Marino Convalescent Center, Inc., a California corporation DBA Park Marino Health Center ("Declarant") controls that certain real property located in the County of Los Angeles (the "County"), State of California, more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof (the "Property").

Declarant is undertaking an expansion of the facilities on the Property which will include an Alzheimer's Facility on the westerly, Altadena Drive, portion of the Property, and an Assisted Living Facility on the easterly, Eaton Canyon Wash, end of the Property. As part of the expansion, the County has processed Zone Change Case No. 96-002-(5) (the "Zone Change") on the Property, changing the zoning from C-2, R-1-7500 and R-3 to C-2-DP-BE.

During the County's processing of the Zone Change, Declarant met with certain of its neighbors from Meguiar Street (the "Meguiar Residents") to address the Meguiar Residents' concerns regarding the proposed expansion. As a result of its meetings with the Meguiar Residents and as a condition to the approval of the Zone Change, Declarant agreed to enter into this Unilateral Contract ("Contract").

Declarant hereby makes the following declaration of covenants, conditions, restrictions, limitations, rights and uses to which the Property shall be subject; each and all of the covenants, conditions, restrictions, limitations, rights and uses contained herein shall run with the land and shall be binding on Declarant, its successors and assigns and all subsequent owners of all or any part of the Property.

1. The Meguiar Residents shall be provided with a 24 hour phone number to call with any complaints or concerns. The current number, 213/681-2223, is the number of the Administrator at Park Marino (the "Project"), William "Bill" Kite.

2. Monthly meetings will be arranged between the Project Administrator and the Meguiar Residents, if requested by the Meguiar Residents.

3. Subject to existing easements affecting the Property, Declarant agrees to move the Assisted Living Facility as far south on the Property as the County Fire Department will allow, leaving room along the south boundary for appropriate fire access and landscaping.

4. Subject to existing easements affecting the Property, Declarant shall utilize the northerly end of the ground floor of the west wing of the Assisted Living Facility for a pantry and/or storage facility, and agrees to place the laundry facility at the southwest end of the kitchen/service area of the building.

5. Subject to existing easements affecting the Property, the trash enclosure for the Project shall be relocated from the northerly end of the easterly service drive to a place nearer the southerly end of the easterly service drive, away from the common property line with the Meguiar Residents living at 2686 East Meguiar (currently the Bohlen family), and will construct an enclosure for the relocated trash containers. Declarant shall request the trash company to pick trash up after 7:00 a.m.

6. The masonry wall to be constructed along the common property line with the Meguiar Residents living at 2686 East Meguiar (currently the Bohlen family) will be eight (8) feet in height (measured on Declarant's side of the wall).

7. Declarant agrees to plant a tree near the northeast corner of the west wing of the Assisted Living Facility.

8. The second floor of the west wing of the Assisted Living Facility will be setback from the first floor in accordance with the site plans reviewed by the parties at their meeting of November 4, 1996 (prepared by HKIT and on file at the Los Angeles County Department of Regional Planning). An exact setback distance is not specifically called out because the building will be moved a few feet south as well. In addition, the third story of the west wing of the Assisted Living Facility will also be setback from the second story as shown on floor plans prepared by HKIT and as shown on the model used as a visual tool at the meeting (to be located in Declarant's offices).

9. On the northwest corner of the west wing of the Assisted Living Facility, the second and third floor windows will be clerestory only.

10. The stairwell windows on the second and third story of the west wing of the Assisted Living Facility will be fixed and translucent.

11. On the northeast corner of the west wing of the Assisted Living Facility, windows will be clerestory or a translucent casement type opening to the west, thus providing a view orientation to the east.

12. Declarant agrees to research placement and location of the sewer line serving the Property and will make a reasonable effort to persuade the Property owner to allow a sewer line easement for the benefit of the Meguiar Residents. If approval is obtained from the Property owner, the Meguiar Residents will be responsible for any and all costs associated with installation, design and construction of a sewer line to connect to the line required for development of the proposed expansion of Declarant's Project and for any and all costs associated with any installation, design and construction (including oversizing) of the Project's sewer line required by the projected volumes of waste and waste water anticipated to be contributed from the Meguiar Resident's connection to the Project's sewer line.

13. The building height of the Assisted Living Facility will be thirty-five (35) feet, excluding rooftop equipment, such as air conditioning and elevator equipment. All rooftop equipment will be screened as required by County ordinance and the air conditioning equipment will be placed as far south on the west wing as practical.

14. Declarant agrees to remove the wooden fence at the rear of 2666 East Meguiar (currently Theodora Arnold's residence) and agrees to install a new masonry wall along their common property boundary. The wall will be six (6) feet in height (measured on Ms. Arnold's side of the wall). Declarant further agrees to use the wood from Ms. Arnold's existing fence to replace the wooden gate on the dog run on the south side of her home. The masonry wall will be built to assure that drainage of Ms. Arnold's property will not be inhibited.

15. The terms and conditions of Sections 1, 2 and 5 above shall become effective immediately upon the recordation of this Contract. The terms and conditions of Sections 3, 4 and 6 through 14 shall become effective upon commencement of construction of either the Assisted Living Facility or the Alzheimers Facility, whichever occurs first.

16. The terms and conditions of this Contract and the declaration of covenants, conditions, restrictions, limitations, rights and uses contained herein with respect to Sections 3, 4 and 6 through 14 shall terminate and be of no further force or effect when the buildings contained in the Assisted Living Facility and the Alzheimers Facility are demolished and not replaced with similar facilities; provided, however, the terms and conditions of this Contract and the declaration of covenants, conditions, restrictions, limitations, rights and uses contained herein with respect to Sections 1, 2 and 5 and this Section 16 through 20 shall continue to remain in full force and effect.

17. The County of Los Angeles shall have the right to enforce, by proceedings at law or in equity, all of the provisions imposed by this Contract, including without limitation, the right to prosecute a proceeding at law or in equity against the person or persons who have violated or are attempting to violate any of said

provisions, to enjoin or prevent them from doing so and to cause said violation to be remedied.

18. If Declarant defaults in the performance or observation of any provisions of this Contract, Declarant agrees to pay the County of Los Angeles all costs and fees incurred, including reasonable attorney's fees, regardless of whether legal proceedings are instituted. In case a suit is instituted, Declarant shall also pay the costs of suit, in addition to the aforesaid costs and fees.

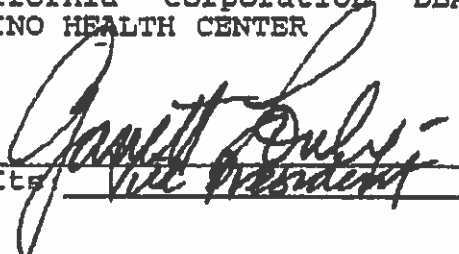
19. The failure of the County to enforce any of the provisions imposed by this Contract shall not constitute a waiver of the right to enforce the same thereafter.

20. The provisions of this Contract shall inure to the benefit of and be binding upon all of Declarant's assigns, transferees, heirs and successors in interest.

21. An executed copy of this Contract shall be returned to the County Counsel along with the date of the Contract's recordation and the recording information.

PARK MARINO CONVALESCENT CENTER, a
California corporation DBA PARK
MARINO HEALTH CENTER

DATED: 5/80, 1997

By: 
Its: Vice President

The undersigned, as the owner of the Property, hereby agrees to be bound by the terms and conditions of Sections 3, 4, 6 through 11, 13, 14, the second sentence of Section 15, Section 16 (deleting any references to Sections 1, 2 and 5) and 17 through 21 of the foregoing Unilateral Contract and agrees to its recordation.

A.V. WAGNER GRANDCHILDREN'S TRUST

By: 
Steven L. Hollstein
Its: Trustee

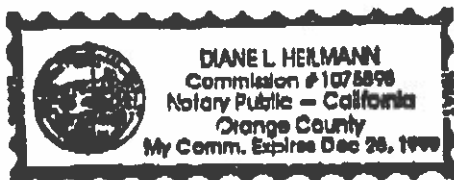
STATE OF CALIFORNIA

COUNTY OF Orange

)
) ss.
)

On May 21, 1997, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Steven L. Hollstein, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the within instrument.

WITNESS my hand and official seal.



Diane L. Heilmann
Notary Public

STATE OF CALIFORNIA

COUNTY OF Alameda

)
) ss.
)

On May 30, 1997, 1997, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Garrett Loube, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the within instrument.

WITNESS my hand and official seal.



Dana Sack
Notary Public

EXHIBIT "A"

PARCEL 1:

THAT PORTION OF LOT 1 IN BLOCK "C" OF THE BONESTELL TRACT, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 4 PAGE 572 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN A LINE THAT IS PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 1 AND NORTHERLY 1109.24 FEET FROM IT, MEASURED PARALLEL WITH THE WESTERLY LINE OF SAID LOT 1, SAID POINT BEING NORTH 89° 45' EAST ALONG SAID PARALLEL LINE 353.69 FEET FROM THE CENTER LINE OF FOOTHILL BOULEVARD AS SHOWN ON COUNTY SURVEYOR'S MAP NO. C.S.B. 1357, SHEET 2 ON FILE IN THE OFFICE OF THE COUNTY ENGINEER OF SAID COUNTY; THENCE ALONG SAID PARALLEL LINE NORTH 89° 45' EAST 291.21 FEET; THENCE PARALLEL WITH SAID CENTER LINE OF FOOTHILL BOULEVARD NORTH 1° 30' EAST 20.00 FEET; THENCE PARALLEL WITH SAID SOUTHERLY LINE OF LOT 1, NORTH 89° 45' EAST 215.95 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF THE LAND DESCRIBED IN PARCEL 1 OF THE DEED TO C.E. CARVER AND WIFE, RECORDED ON OCTOBER 31, 1950 AS INSTRUMENT NO. 1662 IN BOOK 34624 PAGE 183, OFFICIAL RECORDS OF SAID COUNTY; THENCE NORTH 0°15'00" WEST 16.00 FEET; THENCE PARALLEL WITH SAID SOUTHERLY LINE OF LOT 1, NORTH 89° 45' EAST 66.02 FEET, MORE OR LESS, TO THE NORTHEASTERLY LINE OF THE PARCEL OF LAND CONSISTING OF 0.55 ACRES, MORE OR LESS, DESCRIBED AS AN EXCEPTION FROM PARCEL 49" IN A FINAL JUDGMENT RECORDED IN BOOK 15488 PAGE 167, OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG SAID NORTHEASTERLY LINE NORTH 30° 38' 20" WEST 205.09 FEET, MORE OR LESS, TO SAID NORTHERLY LINE OF LOT 1; THENCE ALONG SAID NORTHERLY LINE, SOUTH 89° 36' 35" WEST 791.12 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE ALONG THE WESTERLY LINE OF SAID LOT 1, SOUTH 1° 30' WEST 185.00 FEET; THENCE PARALLEL WITH SAID SOUTHERLY LINE OF LOT 1, NORTH 89° 45' EAST 328.69 FEET TO A LINE BEARING NORTH 1° 30' EAST PARALLEL WITH SAID WESTERLY LINE OF LOT 1 AND WHICH PASSES THROUGH THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE ALONG SAID LAST MENTIONED PARALLEL LINE, SOUTH 1° 30' WEST 26.03 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS PURPOSES, INCLUDING BUT NOT LIMITED TO, AN EASEMENT FOR PRIVATE ROAD PURPOSES, OVER THAT PORTION OF LOT 1 IN BLOCK C OF THE BONESTELL TRACT, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 4 PAGE 572 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON A LINE THAT IS PARALLEL WITH THE SOUTH LINE OF LOT 1, AND NORTHERLY 1109.24 FEET FROM IT, MEASURED PARALLEL WITH THE WEST LINE OF SAID LOT 1, SAID POINT BEING NORTH 89° 45' EAST ALONG SAID PARALLEL LINE 353.69 FEET FROM THE CENTER LINE OF FOOTHILL BOULEVARD AS SHOWN ON COUNTY SURVEYOR'S MAP NO. C.S.B. 1357, SHEET 2 ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAID

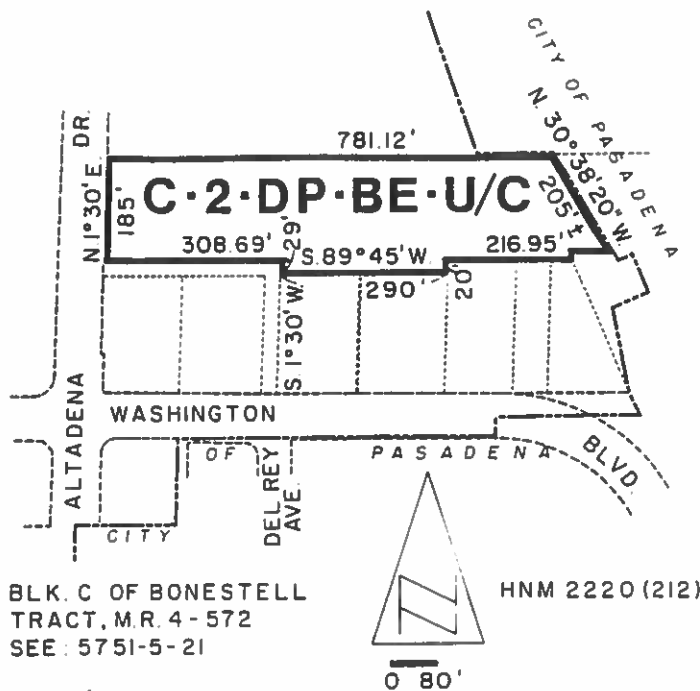
COUNTY, THENCE PARALLEL WITH THE WEST LINE OF SAID LOT 1, NORTH 1° 30' EAST 26.03 FEET, MORE OR LESS, TO A LINE PARALLEL WITH THE SOUTH LINE OF SAID LOT 1, AND WHICH PASSES THROUGH A POINT IN THE WEST LINE OF SAID LOT 1, THAT IS DISTANT ALONG SAID WEST LINE SOUTH 1° 30' WEST 185.00 FEET FROM THE NORTHWEST CORNER OF SAID LOT 1; THENCE ALONG SAID LAST MENTIONED PARALLEL LINE, SOUTH 89° 45' 00" WEST 328.69, MORE OR LESS, TO THE WEST LINE OF SAID LOT 1; THENCE ALONG SAID WEST LINE, SOUTH 1° 30' WEST TO A LINE PARALLEL WITH THE SOUTH LINE OF SAID LOT 1, AND WHICH PASSES THROUGH THE POINT OF BEGINNING OF THIS DESCRIPTION; THEN ALONG SAID LAST MENTIONED PARALLEL LINE, NORTH 89° 45' EAST TO SAID POINT OF BEGINNING.

PARCEL 3:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS PURPOSES INCLUDING BUT NOT LIMITED TO, AN EASEMENT FOR PRIVATE ROAD PURPOSES, AND FOR THE INSTALLATION OF WATER LINES, FUEL LINES, UNDERGROUND TELEPHONE LINES, AND ANY OTHER PUBLIC UTILITY OVER THAT PORTION OF LOT 1 IN BLOCK "C" OF THE BONESTELL TRACT, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 4 PAGE 572, OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN A LINE THAT IS PARALLEL WITH THE SOUTH LINE OF SAID LOT 1 AND NORTHERLY 1109.24 FEET FROM IT, MEASURED PARALLEL WITH THE WEST LINE OF SAID LOT 1, SAID POINT BEING NORTH 89° 45' EAST ALONG SAID LINE 353.69 FEET FROM THE CENTER LINE OF FOOTHILL BOULEVARD AS SHOWN ON COUNTY SURVEYOR'S MAP NO. C.S.B. 1357, SHEET 2, ON FILE IN THE OFFICE OF THE COUNTY ENGINEER; THENCE ALONG SAID LAST MENTIONED PARALLEL LINE, SOUTH 89° 45' 00" WEST 28.69 FEET TO A POINT THAT IS DISTANT ALONG SAID PARALLEL LINE NORTH 89° 45' 00" EAST 300.00 FEET FROM THE WEST LINE OF SAID LOT 1; THENCE ALONG A LINE PARALLEL WITH THE CENTER LINE OF FOOTHILL BOULEVARD, AS SHOWN ON SAID COUNTY SURVEYOR'S MAP NO. C.S.B. 1357, SOUTH 1° 30' WEST TO THE NORTHERLY LINE OF THE LAND DESCRIBED IN THE DEED TO THE COUNTY OF LOS ANGELES, RECORDED DECEMBER 6, 1961 AS INSTRUMENT NO. 4798, IN BOOK D-1442 PAGE 661, OFFICIAL RECORDS, IN SAID COUNTY; THENCE EASTERLY ALONG SAID LAST MENTIONED NORTHERLY LINE TO A LINE PARALLEL WITH THE WEST LINE OF SAID LOT 1 AND WHICH PASSES THROUGH THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE ALONG SAID LAST MENTIONED PARALLEL LINE, NORTH 1° 30' EAST TO SAID POINT OF BEGINNING.

CHANGE OF PRECISE PLAN
ALTADENA DISTRICT 3
ADOPTED BY ORDINANCE
ON
AMENDING SEC. 22.16.230 OF THE COUNTY CODE
ZONING CASE 96002



BLK. C OF BONESTELL
TRACT, M.R. 4 - 572
SEE: 5751-5-21

THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FRED GUIDO CHAIRMAN
JAMESE HARTL PLANNING DIRECTOR



*Los Angeles County
Department of Regional Planning*

Director of Planning, James E. Hartl, AICP



June 27, 1996

Honorable Board of Supervisors
County of Los Angeles
Room 383, Kenneth Hahn Hall of Administration
Los Angeles, California 90012

SUBJECT: Zoning Case No. 96-002-(5)

Fifth Supervisorial District

Altadena Zoned District No. 3

Petitioner: Diversified Health Services
1433 Webster Street, Suite 204
Oakland, California 94612

Dear Supervisors:

Attached is a copy of resolution adopted by the Regional Planning Commission at its regular meeting of June 5, 1996. Included in the resolution are

RECOMMENDATIONS

That your Honorable Board hold a public hearing on a Change of Zone

From: C-2 (Neighborhood Business),
R-1-7,500 (Single Family Residence-7500 square
feet required area), and
R-3 (Limited Multiple Residence)

To: C-2-DP-BE (Neighborhood Business-Development
Program-Billboard Exclusion)

Location: The subject property is located at 2585 East
Washington Boulevard, Altadena, within the Altadena Zoned
District.

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address of the article, date, detach and retain the receipt.
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Honorable Board of Supervisors
Re: Zoning Case No. 96-002-(5)

The Commission hearing summary:

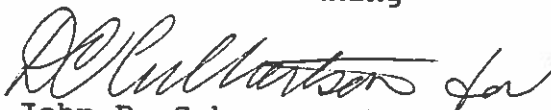
Three representatives of the applicant were sworn and testified in favor of the requested change of zone and a conditional use permit to authorize the continued operation of an existing nursing home and to authorize the construction of a new adult residential facility for Alzheimers patients and an assisted living residential facility for senior citizens.

One neighboring property owner testified in opposition to the proposed three-story height of the proposed adult residential facility. The Planning Commission agreed to prohibit installation of windows on the second and third stories of the proposed structure on the northerly side facing the opponent's property.

At the time of hearing, in the event your Honorable Board approves the recommended changes as outlined in the resolution, it would be appropriate to approve the preparation of an ordinance effecting the change of zone.

Respectfully submitted,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning


John R. Schwarze, AICP, Administrator
Current Planning Branch

JRS:DCC:rm

Attachments: Commission Resolution
Legal Description

c: Executive Officer-Clerk of the Board
of Supervisors for distribution
Petitioner-Certified Mail-Return Receipt Requested
Carolyn Ingram Seitz
Testifiers

THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
ZONE CHANGE CASE NO. 96-002-(5)

WHEREAS, The Regional Planning Commission of the County of Los Angeles conducted concurrent public hearings in the matter of Zone Change Case No. 96-002-(5) and Conditional Use Permit No. 96-002-(5); and

WHEREAS, The Commission finds as follows:

1. The subject property is located at 2585 East Washington Boulevard within the Altadena Zoned District of Los Angeles County.
2. The subject property is approximately 4.25 acres in size, is developed with an existing 99-bed nursing home, is level and irregular in shape.
3. Adequate vehicular access is provided to the subject property from the west via North Altadena Drive, a dedicated County roadway having a right-of-way 85 feet in width.
4. The subject property is depicted within the Commercial category of the Countywide General Plan.
5. The subject property is depicted within the Commercial category of the Altadena Community Plan.
6. The subject property is currently zoned C-2 (Neighborhood Business), R-1-7,500 (Single Family Residence-minimum required lot size 7500 square feet), and R-3-5,000 (Limited Multiple Residence-5,000 square feet minimum required lot size). The applicant proposes to rezone the entire property C-2-DP-BE (Neighborhood Business-Development Program-Billboard Exclusion).
7. The proposed change of zone is consistent with the existing classifications of both the Countywide General Plan and the Altadena Community Plan.
8. The applicant has requested approval of a Conditional Use Permit to authorize the continued maintenance of the existing nursing home which has operated on the subject property for thirty years and to authorize the construction of new adult residential facility for Alzheimers patients and an assisted living residential facility for senior citizens.
9. The subject Zone Change request, Zone Change Case No. 96-002-(5) was heard concurrently with Conditional Use Permit Case No. 96-002-(5).
10. The area surrounding the subject property is developed with a convalescent hospital, medical offices and Saint Luke's

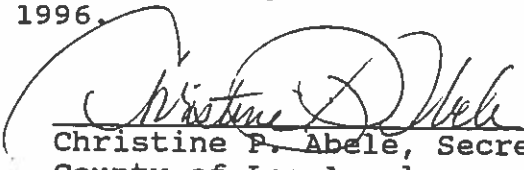
Hospital to the south, single family residences and a Jewish Temple to the north, Eaton Canyon Wash to the east and multiple family and single family residences to the west.

11. The proposed use is highly compatible with surrounding land uses which include a dialysis center, medical offices and a major hospital.
12. There is a need for the proposed change of zone to achieve consistency with the provisions of both the Countywide General Plan and Altadena Community Plan.
13. Establishment of the proposed C-2-DP-BE Zone (Neighborhood Business-Development Program-Billboard Exclusion) on the subject property is in the interest of public health, safety, and general welfare and in conformity with good planning and zoning practice; therefore, be it

RESOLVED, That the Regional Planning Commission recommend to the Board of Supervisors of the County of Los Angeles as follows:

- A. Adopt a change of zone from C-2 (Neighborhood Business), R-1-7,500 (Single Family Residence-7,500 square feet required area), and R-3 (Limited Multiple Residence) to C-2-DP-BE (Neighborhood Business-Development Program-Billboard Exclusion) for property as depicted on the plot plan marked "Exhibit A" dated June 5, 1996 on file with this case in the office of the Department of Regional Planning;
- B. Determine that the Negative Declaration is in compliance with the requirements of the California Environmental Quality Act and certify that it has independently reviewed and considered the information contained therein;
- C. Find that the proposed change of zone is consistent with the goals, policies and programs of the Los Angeles County General Plan and the Altadena Community Plan;
- D. Hold a public hearing to consider the above recommended change of zone.

I hereby certify that the foregoing was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on June 5, 1996.


Christine P. Abele, Secretary
County of Los Angeles
Regional Planning Commission

LEGAL DESCRIPTION:

All of that portion of Lot 1, Block C, Bonestell Tract, M.R. 4 - 572, lying westerly of the City of Pasadena boundary and northerly of the following described line:

Beginning at a point on the easterly line of Altadena Drive (80 feet wide), which point is 185 feet southerly from the north line of said Bonestell Tract; thence N.89°45'00"E. 328.68 feet; thence S.0°15'E. 26.05 feet; thence N.89°45'00"E. 290.00 feet; thence N.0°15'E. 20.00 feet; thence N.89°45'00"E. 215.95 feet; thence N.0°15'E. 16 feet; thence N.89°45'00"E. 66.02 feet to the boundary of the City of Pasadena.

